THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21191 of 2006

DATED 13.10.2006

Between:
Rahul Dev Sankrathan. ..... PETITIONER

versus

The Chairman, Hyderabad Urban
Development Authority, 1-8-323,
Rasoolpura, Paigah Palace,
Secunderabad and another. ..... RESPONDENTS

WRIT PETITION NO.21191 of 2006

ORDER:

The matter is coming up for admission today.

2. Heard Sri B.S.S.Prasad, learned counsel representing the petitioner and Sri T.Niranjan Reddy, learned Standing Counsel representing the respondents.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents/authorities as illegal, arbitrary and violation of natural justice and violation of Rules of Right of Information Act, where they failed to issue the certified copies according to the application of the petitioner, dated 10.10.2006, and consequently direct the respondents/authorities to consider the application of the petitioner and issue certified copies to the petitioner forthwith and pass such other suitable orders.

4. The petitioner is the owner and possessor of land admeasuring 2 acres 36 guntas in S.No.168 of Narsingi village, Rajendranagar Mandal, Ranga Reddy District and he has been enjoying the said property since long time and the same is his ancestral property. While things stood thus, one M/s. Radha Realtors and others tried to disturb the peaceful possession and enjoyment of the petitioner over the property and since there is no other alternative remedy, the petitioner

approached the Court of law by filing suit O.S.No.2198 of 2006 before the Principal Senior Civil Judge, Ranga Reddy District and the petitioner also filed an application I.A.No.2133 of 2006 under Order 39 Rules 1 and 2 C.P.C. praying for interim relief. It is also stated that the learned Principal Senior Civil Judge, Ranga Reddy District, passed a status quo order as on 27.10.2006. It is further stated that the petitioner approached the respondents-authorities with an application on 6.10.2006 to issue certified copies, whichever related to the subject matter and the respondents-authorities received the said application on 6.10.2006 and instructed him to file proper application under Right of Information Act. Thereupon the petitioner filed two applications, vide one application related to requirement of documents and another application under Right of Information Act on 10.10.2006. After receiving the above said applications, the respondents-authorities orally refused to issue the said certified copies. It is stated that in fact the petitioner is a party to the proceedings, as such he has a right to collect the certified copies by bearing the costs. It is also stated that since these are public documents and the petitioner also is a party to the said proceedings, he has every right to insist for furnishing of the certified copies.

5. In view of the facts and circumstances explained, the respondents are hereby directed to issue the necessary certified copies, which are said to be available with them, to the petitioner on payment of requisite fee, if any, within a period of one week from the date of receipt of a copy of this order.

6. The Writ Petition is allowed to the extent indicated above. No costs.

13.10.2006

SSR

Issue order copy tomorrow.

(BO)